

23.02.2026
Court No. 02
Item No.142 (ML)
(Suvendu)

WPA 18812 of 2025

**Swapan Ghoshal alias Swapan
Kumar Ghoshal
-Versus-
The State of West Bengal & Ors.**

Mr. Srinjay Sengupta
Mr. Saurav Roy
Mr. Ankush Ghosh
Mr. Prasenjit Jana
.....for the petitioner

Ms. Deblina Chattaraj
Ms. Poulami Chattopadhyay
...for the WBTCL

Ms. Renuka Patrick
.....for the State

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Petitioner was an employee of West Bengal Transport Corporation Limited (for short, “WBTCL”) who retired on superannuation on 31st March, 2009
- 3) Learned advocate representing the petitioner placing reliance on memorandum dated 15th February, 2021 issued by the Joint Secretary, Transport Department, Government of West Bengal has prayed for consolidation of pension and interest thereon due to delay caused in extending benefits in terms of said memorandum dated 15th February, 2021.

4) Reliance is also placed on the order passed by a coordinate Bench on a writ petition being WPA 4504 of 2023 (Madhab Chandra Ganguly Vs. The State of West Bengal & Ors).

5) Learned advocates representing WBTCCL and State respondents have opposed the writ petition. It is submitted on behalf of WBTCCL that delay is not attributable to them as the memorandum was issued on 15th February, 2021 granting actual benefit from 1st January, 2020 meaning thereby memorandum dated 15th February, 2021 has given retrospective effect relating to consolidation of pension. It is also submitted that payment of pension at higher rate depends upon fund to be allotted by the State respondents.

6) On perusal of memorandum dated 15th February, 2021 it is found that same is applicable to the pensioners/ family pensioners. Furthermore it is also provided in said memorandum dated 15th February, 2021 that benefit of consolidation of pension was granted notionally with effect from 1st January, 2016 and actual benefit is extended to the pensioner/ family pensioner from 1st January, 2020 following the methodology as

delineated in clause 5 of the said memorandum.

7) As concerned authority of the State Government has decided consolidation of pension/ family pension of the employees of WBTCCL who retired prior to 1st January, 2016 and are in receipt of pension, petitioner is found to be entitled to get such benefit taking note of the fact that petitioner retired on 31st March, 2009 and pension was sanctioned in favour of the petitioner.

8) Concerned authorities of WBTCCL is directed to grant benefit of memorandum dated 15th February, 2021 thereby consolidating pension of the petitioner applying the methodology as contained in clause 5 therein by eight weeks from date of communication of this order.

9) However vide memorandum dated 15th February, 2021 actual benefit was given with retrospective effect from 1st January, 2020, concerned authority of WBTCCL is directed to grant interest @ 6% per annum on revised pensionary benefits from 16th February, 2021 till date of release of the same. Such interest shall be paid along with arrear dues.

10) Concerned State respondents are directed to allot necessary fund to the WBTCCL for

making payment in terms of aforesaid direction.

11) Writ petition stands disposed of.

12) There shall be no order as to costs.

13) Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)